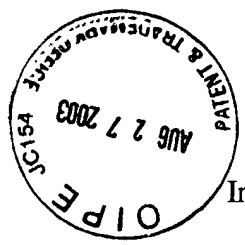


1642



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

AUG 29 2003

In re Application of: Malmros et al.

Serial No.: 09/306,662

Filed: May 5, 1999

For: Method of in situ diagnosis by spectroscopic analysis of biological stain compositions

Group Art Unit: 1642

Examiner: Rawlings, S.

TECH CENTER 1600/2900

Attorney Docket No. 111499.121

**LETTER FORWARDING RESPONSE TO OFFICE ACTION
FILED MAY 19, 2003 IN RESPONSE TO EXAMINER'S REQUEST**

Commissioner for Patents
Washington, DC 20231

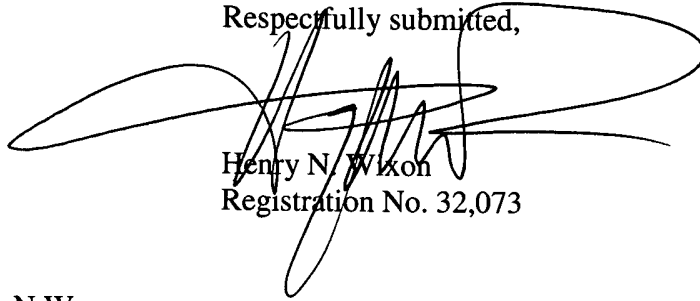
Sir:

In a telephone conference between Examiner Rawlings and Maria Maebius today, the Examiner inquired as to whether the above-captioned application was abandoned. Applicants respectfully submit that a timely response was filed on May 19, 2003, a copy of which is included herewith with the date-stamped postcard indicating the filing date of May 19, 2003.

On the cover sheet of the Office Action mailed December 18, 2002, it appeared that the Examiner made the Action final. However, the comments presented by the Examiner did not indicate that the Office Action was final. Accordingly, Applicants respectfully request that the United States Patent and Trademark Office treat the December 18, 2002 Office Action as non-final and consider the arguments presented in the May 19, 2003 response as being timely filed.

If the Examiner has any questions or concerns, he is respectfully requested to contact the undersigned. The Commissioner is authorized to charge any necessary fees or credit any overpayments to Deposit Account No. 08-0219 to maintain the pendency of the present application.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'H. Wilson', is written over the typed name and registration number.

Henry N. Wilson
Registration No. 32,073

HALE AND DORR LLP
1455 Pennsylvania Avenue, N.W.
Washington, DC 20004-1008
(202) 942-8490
Date: August 27, 2003

Henry N. Wixon
HALE and DORR LLP
1455 Pennsylvania Avenue, NW
Washington, DC 20004
(202) 942-8400



RECEIVED

AUG 29 2003

Applicant(s): Malmros et al. Atty. Docket No.: 111499.121
Serial No. 09/306,662 Group Art Unit: 1642
Filed: May 5, 1999 Examiner: S. Rawlings
Entitled: Method of In Situ Diagnosis by Spectroscopic
Analysis of Biological Stain Compositions

TECH CENTER 1600/2900

RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

- ☒ Transmittal Letter
- ☒ Petition For Extension Of Time (2 Months)
- ☒ Response To Office Action Mailed December 18, 2002,
Along With Appendices 1 and 2; and
- ☒ Return Postcard

HNW/msb

[Authorization to Charge Deposit Acct. 08-0219 \$205.00]



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 29 2003

TECH CENTER 1600/2900

In re Application of: Malmros et al.

Serial No.: 09/306,662

Group Art Unit: 1642

Filed: May 5, 1999

Examiner: Rawlings, S.

For: Method of in situ diagnosis by spectroscopic analysis of biological stain compositions

Attorney Docket No. 111499.121

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, DC 20231

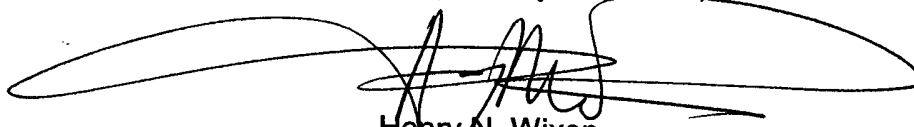
Sir:

Enclosed herewith for filing in the United States Patent and Trademark Office are the following documents:

1. Transmittal Letter
2. Petition For Extension Of Time (2 Months)
3. Response To Office Action Mailed December 18, 2002,
Along With Appendices 1 and 2; and
4. Return Postcard

The Commissioner is authorized to charge (\$205.00 for EOT fees) and any necessary fees or credit any overpayments to Deposit Account No. 08-0219 to maintain the pendency of the present application.

Respectfully submitted,



Henry N. Wixon
Registration No. 32,073

HALE AND DORR LLP
1455 Pennsylvania Avenue, N.W.
Washington, DC 20004-1008
(202) 942-8490
Date: May 19, 2002